

1 THE HONORABLE RICARDO S. MARTINEZ

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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 ISABEL VALENCIA-PEREZ,

11 Plaintiff,

NO. C08-0920 RSM

12 v.

13 DARYL SCHERMERHORN, in his  
14 individual capacity and "JANE DOE"  
15 SCHERMERHORN, as a marital  
16 community; STEVEN MALPEZZI, in his  
17 individual capacity and "JANE DOE"  
MALPEZZI, as a marital community;

18 Defendants.

STIPULATION FOR AND AGREED  
ORDER FOR RELIEF FROM THE  
COURT'S ORDER SETTING  
TRIAL ALLOWING THE  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT TO JOIN AN  
ADDITIONAL PARTY

19 COME NOW the parties, by and through their undersigned attorneys of record,  
20 and by way of Stipulation request that the Court entry an Agreed Order allowing for the  
21 following relief:

22 1. That the Court relieve the Plaintiff from the Court's Order Setting Trial  
23 date deadline for the adding of additional parties by allowing the Plaintiff to add the  
24 United State of America as a party defendant this matter; and

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26 STIPULATION FOR AND AGREED ORDER FOR RELIEF FROM  
THE COURT'S ORDER SETTING TRIAL ALLOWING THE  
PLAINTIFF'S FIRST AMENDED COMPLAINT TO JOIN AN  
ADDITIONAL PARTY

Page 1 of 3

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1           2.       That Plaintiff Isabel Valencia-Perez be granted leave of Court to file the  
2 proposed Plaintiff's First Amended Complaint for Damages attached as Exhibit A hereto.

3           The parties seek this order to help facilitate settlement in this matter which has  
4 been tentatively reached but needs the United States of America, United States  
5 Department of Homeland Security as a party to the instant action.

6 DAVIES PEARSON, P.C.

JOSEPH P. RUSSONIELLO  
United States Attorney

9 s/Joseph M. Diaz  
10 Joseph M. Diaz, WSBA #16170  
11 Of Attorneys for Plaintiff

s/Neill T. Tseng  
NEILL T. TSENG  
Assistant United States Attorney  
Attorney for Defendants

12  
13 **ORDER**

14           IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the Plaintiff be  
15 granted relief from the Court's Order Setting Trial by allowing the Plaintiff to add the  
16 United States of America as a party defendant; and it is further

17           ORDERED, ADJUDGED, AND DECREED, that the Plaintiff is granted leave of  
18 Court to file the Plaintiff's First Amended Complaint for Damages as proposed.

19           DATED: September 17, 2009

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23 RICARDO S. MARTINEZ  
24 UNITED STATES DISTRICT JUDGE  
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Presented by:

DAVIES PEARSON, P.C.

s/Joseph M. Diaz

Joseph M. Diaz, WSBA #16170

Of Attorneys for Plaintiff

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Approved for entry:

JOSEPH P. RUSSONIELLO

United States Attorney

s/Neill T. Tseng

NEILL T. TSENG

Assistant United States Attorney

Attorney for Defendants

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STIPULATION FOR AND AGREED ORDER FOR RELIEF FROM  
THE COURT'S ORDER SETTING TRIAL ALLOWING THE  
PLAINTIFF'S FIRST AMENDED COMPLAINT TO JOIN AN  
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Page 3 of 3

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